

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re: : Chapter 11
: Case No. 08-13555 (SCC)
LEHMAN BROTHERS HOLDINGS INC., *et al.* :
:
Debtors. :
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ORDER GRANTING MOTION FOR SANCTIONS AGAINST WILLIAM KUNTZ III

Upon the motion (the “Motion”)¹ of Lehman Brothers Holdings Inc. (“LBHI” and the “Plan Administrator”), as Plan Administrator under the Modified Third Amended Joint Chapter 11 Plan Of Lehman Brothers Holdings Inc. And Its Affiliated Debtors [Docket No. 23023-1] (the “Plan”), for sanctions against William Kuntz III; and the Court having held a conference on March 1, 2016 and a hearing on March 4, 2016 attended by all parties; and due and proper notice of the Motion having been provided; and the Court having found and determined that the relief sought in the Motion is appropriate and that the legal and factual bases set forth in the Motion establish just cause granted therein; and after due deliberation and sufficient cause appearing therefore,

THE COURT HEREBY FINDS THAT:

1. Mr. Kuntz lacks standing to (i) participate in the above-captioned chapter 11 cases (the “Bankruptcy Cases”), (ii) object to the Settlement Motion, and (iii) seek the relief sought within the Kuntz Submissions;
2. The Kuntz Submissions are frivolous, not warranted by existing law, and based on factual contentions that have no evidentiary support;
3. The Kuntz Submissions have been filed for improper purposes, including to harass, cause unnecessary delay, and needlessly increase cost; and
4. Mr. Kuntz has exhibited a continued pattern of vexatious and frivolous conduct in the Bankruptcy Cases.

¹ Capitalized terms used herein but not otherwise defined shall have the meanings ascribed to them in the Motion.

AND IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED;
2. The Court reserves its decision on whether Mr. Kuntz shall be required to reimburse LBHI for any and all fees and expenses incurred by LBHI in responding to the Kuntz Submissions or other monetary sanctions;
3. Except with respect to an appeal of this order, Mr. Kuntz is hereby enjoined from filing any complaint, motion, objection, pleading, or notice of appeal in the Bankruptcy Cases or any related adversary proceedings without first having applied to the Court to obtain, and without having obtained, express permission to file any such complaint, motion, objection, pleading, or notice of appeal; and
4. Except with respect to an appeal of this order, unless the filing has been authorized by an Order of the Court, no complaint, motion, objection, pleading, or notice of appeal filed by Mr. Kuntz in the Bankruptcy Cases or any related adversary proceedings shall have any force and effect.
5. Except with respect to an appeal of this order, the Clerk of the Court is hereby directed to take no action with respect to any complaint, motion, objection, pleading, or notice of appeal filed by Mr. Kuntz in the Bankruptcy Cases or any related adversary proceedings unless authorized to do so by an Order of the Court.

Dated: March 4, 2016
New York, New York

/S/ Shelley C. Chapman

HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE